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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,811	01/16/2001	Richard Leman	2497/101	4275

2101 7590 01/21/2004  
BROMBERG & SUNSTEIN LLP  
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EXAMINER

JENKINS, JERMAINE L

ART UNIT PAPER NUMBER

2855

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/700,811

Applicant(s)

LEMAN, RICHARD

Examiner

Jermaine Jenkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11-13, 16 & 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Handfield et al (5,731,516).

In regards to claims 11, 13, 16 & 17, Handfield et al as illustrated in Figures 1 & 11 teaches an apparatus for monitoring a tire comprising a transponder (22) receiving generated wireless signals from sensors (28, 30) from antenna (38), a signal processor (32) processing the sensor signals, and communicating the identified wireless signals to the transmitter (34) generated by the sensors for transmission by the antenna (36) (Column 6, lines 12-24). The identified signals are transmitted to the receiving unit (24) by antenna (38) comprising a receiver (40) that processes the received signal to the user interface (26) having a display unit for the vehicle operator (Column 6, lines 39-43).

With respect to claim 12, Handfield et al teaches the use of a Random Access Memory device that stores the received signals (Column 13, lines 48-50).

### *Claim Rejections - 35 USC § 103*

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Handfield et al (5,731,516).

In regards to claims 14, Handfield et al teaches the claimed invention except for the placement of the transponder unit on a vehicle trailer. Since Handfield et al teaches monitoring tires on a vehicle, it would have been obvious to one of ordinary skill in the art at the time the invention was made to place any type of sensing unit on a particular section of a vehicle, such as a trailer since the sensing of the tire would still be performed.

5. Claims 15, 18 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handfield et al in view of McClelland (WO 96/15919).

With respect to claims 15 & 19, Handfield et al teaches the claimed invention except for a timing circuit connected to the signal processor which is configured to automatically switch the tire pressure sensor on periodically for a predetermined interval to measure the tire pressure and switch off the tire pressure sensor at all other times.

McClelland teaches the claimed apparatus comprising a pressure transducer (120) for sensing pressure of a tire and providing a tire pressure signal (Page 6, lines 3-10), a transmitter (170), a signal processor (100) connected to the pressure transducer (120) for providing a signal dependent on the tire pressure signal to the transmitter (170) (Page 7, lines 27-30), and a timing

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circuit (clock counter) connected to the signal processor (100) which is configured to automatically switch the tire pressure sensor (120) on periodically for a predetermined interval to measure the tire pressure and switch off the tire pressure sensor at all other times (Page 3, lines 7-23) which the timing circuit comprises a timer (clock counter) and four switches (130-160), the timer being configured to periodically actuate the switches and thereby connect the pressure sensor (120) to the battery to turn the tire pressure sensor (120) on for said predetermined interval (Page 7, lines 21-30). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a switching mechanism as taught by McClelland in the system of Handfield et al for the purpose of conserving power consumption.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Handfield et al and McClelland as applied to claims 1-17 & 19 above, and further in view of Rosenfeld (5,513,524).

In combination, Handfield et al and McClelland teaches the claimed invention except for the power being supplied to the transponder unit by activation of the vehicle brake light line. Rosenfeld teaches power is applied to a unit (14) when the vehicle brakes are applied (Column 4, lines 34-40). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to readily recognize the advantage and desirability to provide a connection between an electronic element and vehicle brake line for the purpose of supplying power without having to use a separate power source.

***Response to Arguments***

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6. Applicant's arguments filed 11/15/03 have been fully considered but they are not persuasive. The Applicant argues a transponder unit allowing "a remote receiver in a vehicle cab to distinguish between wireless signals from the remote pressure sensors of an attached vehicle trailer and other pressure sensors without the need for individual registration of each pressure sensor every time the vehicle trailer is changed..." However, the Applicant does not claim these limitations within the amended claims. Handfield et al clearly shows a receiver (40) having an antenna (38) for receiving wireless transmitted signals from the transmitter (34) with an antenna (36), a signal processor (32) for processing the signals and wirelessly transmitting the signals to the receiver (40) for display.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent 5,962,779 (Bass) – Method for Determining Tire Inflation
- U.S. Patent 5,749,984 (Frey et al) – Tire Monitoring System and Method
- U.S. Patent 5,289,160 (Fiorletta) – Tire Pressure Monitoring System
- U.S. Patent 5,181,423 (Phillipps et al) – Apparatus for Sensing and Transmitting in a Wireless Manner a Value to be Measured

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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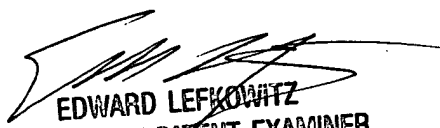
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermaine Jenkins whose telephone number is 703-305-3839. The examiner can normally be reached on Monday-Friday 8am-430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 703-305-4816. The fax phone number for the organization where this application or proceeding is assigned is 703-306-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3431.

Jermaine Jenkins  
A.U. 2855

  
EDWARD LEFKOWITZ  
SUPERVISORY PATENT EXAMINER  
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